

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 5:21-cv-308

KENNEY PROPERTIES, INC.,)
KENNEY HOLDINGS, LLC,)
KENNEY REALTY SERVICES,)
LLC and GRESHAM PARK, LLC)
d/b/a AUTUMN POINTE)
APARTMENTS,)

Plaintiffs,)

v.)

PHILADELPHIA INDEMNITY)
INSURANCE COMPANY,)

Defendant.)

**PLAINTIFFS' NOTICE OF APPEAL
TO THE FOURTH CIRCUIT COURT
OF APPEALS**

Pursuant to Rule 3 of the Federal Rules of Appellate Procedure, Plaintiffs Kenney Properties, Inc., Kenney Holdings, LLC, Kenney Realty Services, LLC, and Gresham Park LLC, d/b/a Autumn Pointe Apartments, hereby give notice of appeal to the United States Court of Appeals for the Fourth Circuit from the Order entered by Judge James C. Dever, III, on July 13, 2022 [DE 24] granting Defendant Philadelphia Indemnity Insurance Company's motion for judgment on the pleadings and dismissing Plaintiffs' complaint.

Respectfully submitted, this the 10th day of August, 2022.

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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2022, I electronically filed the foregoing **PLAINTIFFS' NOTICE OF APPEAL** with the Clerk of Court using the CM/ECF system, which will send automatic notice to the following counsel of record:

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